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9 Attorneys for Defendants
ALAMEDA COUNTY SHERIFF'S OFFICE,
10 ALAMEDA COUNTY, DEPUTY JOE, and
DEPUTY IGNONT (collectively "ALAMEDA
11 COUNTY DEFENDANTS")

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO/OAKLAND DIVISION

15
16 **ALAMEDA COUNTY MALE**
PRISONERS And Former Prisoners,
17 DANIEL GONZALEZ, et al. on behalf of
themselves and others similarly situated, as
18 a Class, and Subclass;

19 **ALAMEDA COUNTY FEMALE**
PRISONERS And Former Prisoners,
20 JACLYN MOHRBACHER, ERIN ELLIS,
DOMINIQUE JACKSON, CHRISTINA
21 ZEPEDA, ALEXIS WAH, AND KELSEY
ERWIN, et al on behalf of themselves and
22 others similarly situated,

23 Plaintiffs,

24 v.

25 ALAMEDA COUNTY SHERIFF'S
OFFICE, ALAMEDA COUNTY, Deputy
26 Joe, Deputy Ignont (sp) John and Jane
ROEs, Nos. 1 – 25;

27 WELL-PATH MANAGEMENT, INC., a
28 Delaware Corporation, (formerly known as

Case No. 3:19-cv-07423-JSC

**DECLARATION OF LT. PHILLIP
CORVELLO IN SUPPORT OF ALAMEDA
COUNTY DEFENDANTS'
SUPPLEMENTAL BRIEF IN
OPPOSITION TO PLAINTIFFS' MOTION
FOR CLASS CERTIFICATION**

1 California Forensic Medical Group) a
 2 corporation; its Employees and Sub-
 3 Contractors, and Rick & Ruth ROEs
 4 Nos.26-50;

5 ARAMARK CORRECTIONAL
 6 SERVICES, LLC, a Delaware Limited
 7 Liability Company; its Employees and
 8 Sub-Contractors, and Rick & Ruth ROES
 9 Nos. 51-75,

10 Defendants.

11 I, Lt. Phillip Corvello, declare:

12 1. I am currently a lieutenant employed by the Alameda County Sheriff's Office
 13 (ACSO). Unless specifically stated to be made on information and belief, I possess personal
 14 knowledge of the matters set forth herein, and if called upon as a witness in this matter, I could
 15 and would competently testify thereto.

16 2. I began working for ACSO as a deputy sheriff in 2006. I held a number of
 17 different assignments as a deputy sheriff, including as a deputy sheriff assigned to Santa Rita Jail
 18 and ACSO's patrol division. I was promoted to the ranks of Sergeant in 2019 and to the rank of
 19 Lieutenant in 2022. I am currently assigned to Santa Rita Jail's Compliance Management Unit.
 20 In my current position I am responsible for overseeing compliance and adherence to the Consent
 21 Decree in *Ashok Babu, et al. v. County of Alameda, et al.*, Case No. 5:18-cv-07677-NC (*Babu*), a
 22 true and correct copy of which is attached to Defendants' Request for Judicial Notice (RJN) as
 23 Exhibit "A." I am also responsible for overseeing compliance and adherence to all written
 24 directives related to Santa Rita Jail, many of which are being revised under my oversight to
 25 comply with the *Babu* Consent Decree's requirements.

26 3. Several Detention and Corrections policies and procedures apply to inmate
 27 sanitation. Detention and Corrections Policy and Procedure 15.01 requires housing unit deputies
 28 to "inspect their housing areas during each shift" and address any "cleanliness or maintenance
 problems" immediately. Exh. "B" to RJN at 1. Security sergeants are also required to "inspect
 all housing units and other areas under their control at least once per shift (twice a day), including
 weekends and holidays, and report their findings to the Watch Commander" and to ensure that

1 their inspections are documented in the housing unit's Redbook. *Id.* See also Exh. "C" to RJN
 2 (setting forth a mandatory safety and sanitation inspection schedule in Detention and Corrections
 3 Policy and Procedure 15.02); Exh. "F" to RJN (setting forth mandatory supervisory inspections
 4 each shift and Redbook documentation of same in Detention and Corrections Policy and
 5 Procedure 10.03).

6 4. Inmates are responsible for maintaining the cleanliness of their own cells and
 7 person under Policy 15.01 and 15.03. See Exh. "B" to RJN; Exh. "D" to RJN. Cleaning and
 8 personal hygiene materials are made available to inmates by the housing unit deputies in a
 9 reasonable timeframe upon request. *Id.* Deputies are also instructed to offer cleaning materials to
 10 inmates at least once per shift (twice a day), regardless of whether cleaning materials are
 11 requested, and to ensure that this offering is documented in the Redbook.

12 5. Inmate workers are responsible for maintaining the cleanliness of each housing
 13 unit's common areas, which are specified under Policy 15.01 and include the housing unit's
 14 multipurpose rooms, showers, quasi yards (walled outdoor areas adjacent to housing units), and
 15 hallways. Exh. "B" to at 5-7. Each housing unit has at least two – but typically more than two –
 16 assigned inmate workers. Inmate workers are provided with regular monitored access to cleaning
 17 supplies throughout the day, including vacuums, mops, and other supplies, through the housing
 18 unit deputies. Inmate workers are responsible for cleaning up after meal services and as needed.
 19 Inmate workers are generally very proactive at addressing self-identified and deputy-identified
 20 cleanliness issues in their assigned housing units.

21 6. ACSO contracts with Crime Scene Cleaners, a professional cleaning service, to
 22 address any potential biohazards (such as blood, fecal matter, etc.) identified in the housing units
 23 and elsewhere throughout the jail facility. A memo is generated by staff every time a Crime
 24 Scene Cleaners request is made.

25 7. On December 2, 2020, Sheriff Yesenia Sanchez, in her former position as the
 26 Commander of Santa Rita Jail, issued a memorandum to all jail staff reiterating the above
 27 cleaning policies. The memorandum specifically reminds jail staff that housing unit cleaning
 28 must be conducted twice daily, documented in the housing control Redbook, and confirmed by

1 the Sergeant responsible for the housing unit. The memorandum also reminds deputies to make
 2 an effort to encourage inmates to clean their cells and to have inmate/pod workers (or Crime
 3 Scene Cleaners if appropriate) clean cells that become disorderly and/or unsanitary when the
 4 inmate assigned to the cell is outside his/her cell (such as to attend an external appointment, for
 5 pod time, etc.).

6 8. A true and correct copy of Sheriff Sanchez's December 2, 2020 memorandum is
 7 attached as **Exhibit "G"** to my declaration. This memorandum is kept and stored in the Santa
 8 Rita Jail's Administrative Unit's files in the regular course of business. ACSO does not have any
 9 plans to halt any of the cleaning practices detailed in this memorandum and is working on
 10 ensuring that all of these current practices are reflected in written policy.

11 9. Policies and procedures are currently being developed under my direction to
 12 comply with Sections III(D)(1) and III(J)(4) of the *Babu* Consent Decree. Section III(D)(1)
 13 requires ACSO, in conjunction with the Adult Forensic Behavioral Health department (AFBH), to
 14 "develop and implement policies requiring ACSO Staff to notify supervisors and AFBH Staff
 15 when incarcerated persons are, on a repeated basis, refusing to come out of their cells, refusing to
 16 shower, or are clearly neglecting other basic care and grooming and where they visually appear to
 17 be depressed, withdrawn or delusional." Exh. "A" to RJN at 27. Section III(J)(4) requires ACSO
 18 and AFBH to develop reasonable accommodation policies and procedures "[f]or individuals with
 19 cognitive, developmental and/or intellectual disabilities" such as "prompts for adaptive support
 20 needs (including but not limited to prompts to take showers, clean cells, attend appointments,
 21 etc.)" *Id.* at 60.

22 10. As noted above and detailed in Sheriff Sanchez's December 2020 memorandum, it
 23 is currently ACSO's practice to work with inmates to prevent inmate cells from becoming
 24 disorderly and/or unsanitary. ACSO is currently working with the *Babu* Joint Experts to revise
 25 Detention and Corrections Policy and Procedure 10.03 to require supervisors to note in the
 26 Redbook that they are reminding deputies during their daily housing unit inspections to work with
 27 the inmates in their charge to ensure good hygiene and cleanliness. ACSO is also working with
 28 the *Babu* Joint Experts and AFBH staff to promote effective communication practices to ensure

1 that all inmates, including those with known or documented severe mental illness, cognitive,
 2 developmental and/or intellectual disabilities, understand what is required to maintain good
 3 hygiene and cleanliness. Lastly, ACSO is also working with the *Babu* Joint Experts to update
 4 Detention and Corrections Policy and Procedure 8.12, which governs inmate supervision and
 5 observation, to require deputies to note the cleanliness level of an inmate's cell during their
 6 mandatory observation rounds when an issue is observed.

7 11. On March 8, 2023, I went to Housing Unit 1 and took photographs of the housing
 8 unit's cleaning supplies, true and correct copies of which are attached to my declaration as
 9 **Exhibit "H."**

10 12. The cleaning supplies attached to my declaration as Exhibit "H" are representative
 11 of the cleaning supplies maintained by each housing unit at Santa Rita Jail and are stored in a
 12 locked closet. All inmates have reasonable access to these cleaning supplies, which includes
 13 mops, buckets, vacuums, bleach, restroom cleaner, bathroom cleaner, and daily floor cleaner,
 14 through their housing unit deputies in accordance with ACSO's policies and procedures as
 15 detailed in the above paragraphs.

16 13. On March 9, 2023, I went to the Intake, Transfer and Release Unit and took a
 17 photograph of the "new-book bag" (also referred to as the "free-line kit") made available to all
 18 inmates upon intake. There are select instances when the free-line kit is not produced to an
 19 inmate, such as if they have previous restrictions for razor blade access, or if they have been
 20 placed on suicide prevention protocols. A true and correct copy of photographs of the free-line
 21 kit are attached to my declaration as **Exhibit "I."** Additional free-line kits can be ordered by
 22 inmates through the commissary program, even if they do not have money on their books. In
 23 addition to free-line kits, which include a toothbrush, toothpaste, razor blade, body wash, and a
 24 comb, inmates are also provided access to soap, razors, nail clippers, hair cutting implements, and
 25 other personal hygiene materials in their housing units upon request and in accordance with their
 26 classification restrictions. Additional personal hygiene materials are also available for purchase
 27 through commissary.

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1 14. Bathroom access during pod and out-of-cell time is governed by Detention and
2 Corrections Policy and Procedure 10.05. Because the housing unit common areas do not have
3 bathrooms, Policy 10.05 requires housing unit deputies to ensure that inmates are able to
4 enter/exit their cells at least once per hour while they are out in the common areas. *See* Exh. "E"
5 to RJN. Please note that in celled housing units, all cells have bathrooms. Inmate cell doors are
6 closed and locked during pod time to prevent inmates from escaping observation, assaulting each
7 other during pod time, limit un-authorized access to cells inmates are not assigned to, and to
8 prevent inmates from manipulating the locks on their cell doors. In dormitory-style housing
9 units, inmates share a common bathroom. During pod time in dormitory-style housing units,
10 inmate access to their common bathroom is restricted for the same reasons. Deputies are trained
11 to permit inmates to access the restroom when they are outside of their assigned living areas upon
12 request. This common practice is not currently reflected in written policy, but will be
13 incorporated into policy through the ongoing policy revision process related to implementing the
14 *Babu Consent Decree.*

15 I declare under penalty of perjury under the laws of the State of California that the
16 foregoing is true and correct.

17 Executed in Dublin, California on March 9, 2023.

By:  Lt. Phillip Corvello